

JAN 31 2013

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

JULIA C. BUDNEY, CLERK
BY: 
DEPUTY CLERK

JOSE MANUEL ZALDIVAR-
FUENTES,
Petitioner,

v.

WARDEN,
Respondent.

) Civil Action No. 7:13cv00041
)
)
)

) **2241 FINAL ORDER**
)
)

) By: Samuel G. Wilson
) United States District Judge
)

In accordance with the memorandum opinion entered on this day, it is hereby
ORDERED and **ADJUDGED** that the petitioner's motion pursuant to 28 U.S.C. § 2241 is
DISMISSED without prejudice for lack of jurisdiction, and this matter is **STRICKEN** from the
court's active docket. Further, finding that the petitioner has failed to make the requisite
substantial showing of the denial of a constitutional right, as required by 28 U.S.C. § 2253(c), a
certificate of appealability is **DENIED**.

ENTER: January 31, 2013.


UNITED STATES DISTRICT JUDGE